

1887-054
Lee Co.

Chancery Causes: James M. Witt vs. Victoria Witt

Staley, Shepherd, McDowell

CA-Divorce

T-Vices

To the Honorable H. S. K. Morgan Judge
of the Circuit Court of Lu County:

Humbly Complaining, your
orator James M. Hill, respectfully rep-
resents unto your Honor that on the
25th day of Jan. 1882 he was married to
Victoria Staley with whom he ^{lived} ~~lived~~ ^{when she}
he lived only about nine months, for
some cause or another unknown to
your orator, ^{left him}. This marriage was not a hap-
py one, for the said Victoria almost
from the beginning of our marriage was
cross, petulant and rude towards your or-
ator, But during it all he never was
ill to her. He tried to make her com-
fortable and happy and tried to so
conduct himself that she would by-
and-by learn to respect and herself
be kind; he knew that he had taken
the said Victoria "for better or for worse",
and that this relation ought not, upon
grounds of public necessity, be broken
off for individual reasons; and he
further knew marriage was a wise in-
stitution and that upon ^{it} depended
mainly the preservation and improve-
ment of human society.

Your orator would further state

to your honor that after the said Victoria left him, she then gave herself up to lewdness and cohabitation with other men, and she is now a notorious prostitute and the mother of one or more as your orator is advised, children, which could not have been begotten by your orator. These facts being true your orator is advised that said marriage as to your orator will be, by virtue of your honor's Chancery jurisdiction, dissolved absolutely. Hence your orator comes to your court of Chancery and humbly prays that you take cognizance of his cause and especially grant him ~~such~~ a decree for a divorce a vinculo matrimonii, former and absolutely dissolving said marriage, that said Victoria be made a party defendant to this bill of complaint and she be required to answer its allegations fully and completely on her oath. And that such other, further and general relief be granted your orator as equity may deem proper, Rich Spa. Issue. And he will ever pray &c

E. W. Pennington

D. J.

6.02
8 .50
15.00
21.52

L.W.P.

James M. Hill,
vs. } Bill for
 } Svoor

Victoria Hill

1887 July Bill filed Sher
Executed & Decree nisi
11 Aug. D. Nisi Conf'd &
Cause set for hearing.
11 Aug. Term decrees
Final

80 to 90

11-

James M. Hill, Complt. }
vs } In Chancery
Victoria Hill, Deft. }

This cause came on this day to be heard upon the bill of Complaint and the deposition and was argued by counsel; and it appearing to the court that process was ^{duly} executed upon said Deft. for more than a month before the first term day of this term of the court, and that she has failed to appear, plead, answer or demur to the said bill of Complaint, the ~~consideration for confessed~~ ~~as to her~~ an consideration of all of which, it is ordered, adjudged and decreed that the bonds of matrimony heretofore existing between said Complt. and Deft. he, and ~~the same~~ ^{she} is hereby dissolved and annulled, ~~a vinculo matrimonii~~, But that the said Deft. be prohibited and restrained from marrying again in this State; and it is further adjudged that the said ~~Deft.~~ Complainant recover from said Deft. his costs in this behalf expended, for which an execution may issue. And this cause is stricken from the docket.

James M. Hill
vs } Licenser fines

Victoria Hill

Entered page 5
C. O. Book No 3.
J. A. Hyatt

Enter this
H. A. M.
Aug 31st 1887.

James M. Witt

Plff

vs

Victoria Witt

Def

In Chancery

The depositions of J. H. McDowell
and A. J. Shepherd and Alfred
Witt,

taken July 15th 1887,

pursuant to the notice hereto
attached, which are intended
to be read as evidence on
behalf of the Plaintiff in the
above styled cause.

J. H. McDowell a witness of
lawful age being duly sworn
deposes and says -

Question 1st By Plaintiffs Atty.

Are you acquainted with the
Defendant in this case, and if
so how long, and where does she
live and has lived for some
time?

Ans

I am acquainted with said
Defendant, have known
her about two years she
lives about 9 miles west of
Jonesville at White Shoals,
Lee Co. Va

Question 2nd by Plaintiff

Do you know whether she

James M. Witt
Depo.
1887 July 15th
J. H. McDowell
A. J. Shepherd
Alfred Witt
Victoria Witt

the deft. was ever guilty of any acts of adultery or sexual intercourse with ~~the~~ other men than the said plaintiff her husband; and if so when?

Ans,

I do know that said defendant has been guilty of acts of adultery and that she has had sexual intercourse with any other than her said husband, and within the past six months.

Question 3rd by Plaintiff

From the appearance of the said deft. do you know that said deft. is now pregnant?

Ans -

From her appearance she is.

And further this witness saith not. J. H. McDowell

Witness

50^o

A. J. Shepherd another witness of lawful age being duly sworn deposes and says.

Question by Plaintiff

From the appearance of the said deft., do you know that she is pregnant; and if so, ~~how~~ ~~long~~ where does she now live and how long has she been

living in that neighborhood, and while living there have the said Deft. and Plaintiff lived at any time living together?

Ans

From the appearance of Defendant, she is pregnant, she has been living in White Shoals Lee Co. Va. (my neighborhood) for the past 3 years during which time the Plff. has not visited or lived with said Deft. as man and wife - I am certain I would have known it, if they lived together during this time, as man and wife -

witness

Claim 50^c

And further this witness saith not - A. J. Shepherd

Alfred With an other witness of lawful age being duly sworn says -

Question by Plff's Atty.

Are you acquainted with the Deft. and Plaintiff, and were they married and where?

Ans.

I am acquainted with the parties and they were married about 5 years ago. I saw them married

Question 2nd by Plaintiff

Where has Plaintiff always lived since his marriage; and how far is it from White Shoals? Ans - He has resided the most of the time in Leab. orchard, about 30 miles from White Shoals in Lee Co. Va - he has made a few visits to Ky during the time.

Question 3rd by Def.

Have Plaintiff and Def. at any time within the last year lived together?

Ans They have not, to my knowledge - Had they have done so I think I would have known it.

And further this witness saith not.

Alfred Witt

W. H. Orick

Claim 50^c

The foregoing deposition was taken by me sworn to and subscribed by the witnesses, at the time and place mentioned in the Caption. J. A. Hyatt Clerk in Chancery for Lee County Court.

To Mrs. Victoria Witt:

You are hereby notified that on the 15th day of July, 1883 at the circuit court clerk's office of Lee County in Louisiana, I will proceed to take the depositions of John Kincaide and others to be read as evidence in my behalf in a certain chancery cause, now pending in the Circuit Court of Lee County, in which cause you are Defendant and I am plaintiff. And if from any the taking of said depositions be not commenced or if commenced be not completed on said day and place, then the taking thereof will be adjourned from day to day and from time to time till the same be completed this
June 29th 1884

James M. Witt.
per counsel

James M. Hitt
vs { Notice to take Dep-
Victoria Hitt

Executed by de-
livering a true copy
of the within notice
to Victoria Hitt this

July 13 1887

S. H. Eversing

S, L, C

The Commonwealth of Virginia,

To the Sheriff of LEE COUNTY--Creeting:

WE COMMAND YOU to summon

Victoria Webb

to appear at the Clerk's office of the Circuit Court of Lee County, at the Court House on the first Monday in *July* next, being Rule Day, to answer a Bill in Chancery exhibited in our Court against *her*, by

James M. Webb

And have then and there this Writ. Witness, J. A. G. HYATT, Clerk of our said Court, at the Court House, this *18th* day of *June* 188*7* in the 1*1th* year of the Commonwealth.

J. A. G. Hyatt Clerk.

A Copy Teste :

E. W. D.

James M. With

vs $\frac{1}{2}$ Spainish

Victoria With

Lo July Ruloo 1887

Executed & deliver^{ing}
a true office copy
of the within to
Victoria With Jun
28th 1887

Sgt Cunningham
for S. D. Filmer
S. L. 6

THE COMMONWEALTH OF VIRGINIA.

To The Sheriff Of Lee County Greeting :

We Command You

*to summon John Kincaid
Rush Morgan, William McDowell and John Hall
J. M. Erick & A. J. Shepard.
a Court*

To appear before the Judge of our Circuit Court of Lee County, at the Courthouse on the

15th day of *July*

~~Term~~ next to testify and the truth to speak in behalf of

James M. Witt

in certain matters of controversy pending in our said Court between

said James M.

Witt

PLAINTIFF and

Victoria Witt

DEFENDANT.

And this

they

shall in no wise omit under the

penalty of Twenty Dollars. And have then there this writ. Witness J. A. G. HYATT Clerk of our said Court at the Courthouse

This

28th

day of

June

188

7

, in the

10th

year of the Commonwealth.

J. A. G. Hyatt

Clerk.

James M. Witt
no 3 Spa

Victoria Witt
To 15th July 1887

Executed in
full
July 12/87
J. M. Witt
S. G. B.